

Legislative Update

- ***Assembly Bill 2481, Frommer***
- ***Health and Safety Code, Chapter 999***
- ***Effective January 1, 2003***
- ***New UST System requirements July 1 2003***

UST System Installed after July 1, 2003

- **Primary and secondary containment must be product tight. Product tight means impervious to liquid and vapor**
- **Designed and constructed with continuous monitoring system for detecting liquid and vapors and water intrusion**
- **Must be maintained under constant vacuum or pressure**
- **Vent lines, vapor recovery lines and fill pipes must have secondary containment**
- **Tested after installation using enhanced leak detection or an inert gas pressure test or a test method deemed equivalent and approved by the SWRQB**

ELD Testing of UST Systems

- **UST Systems with secondary containment located within 1000 feet of Public Drinking Water Well**
- **SWRCB must notify owners by June 1, 2003**
- **Must be liquid and vapor tight**

Red Tag & Administrative Enforcement Order (AEO)

- **Local agency authority**
 - “Red Tag” tank for fuel delivery prohibition
 - Replaces the 1998 certificates of compliance
 - Significant violations which will be define by SWRCB
 - Imminent threat with no grace period
 - No imminent threat, 7 days to correct with local agency follow-up within 5 days
 - Civil penalties of up to \$5000/day

Red Tag & Administrative Enforcement Orders

- **Authorizes CUPA's to issue administrative enforcement orders for UST's**
- **Specifies procedures for hearings**
- **CUPA receives all administrative penalties for enforcement of unified program requirements**
- **For minor violations, CUPA's may issue notices to comply as specified**

UST Cleanup Provisions

- **Move corrective action requirements in HSC Ch 6.75 to HSC Ch 6.7**
- **Increased UST Cleanup fund eligibility**
 - new owner is not affiliated with, or a relative of, the previous ineligible owner
 - Leaks began before property purchased
 - New owner obtains permit. Applicable deductibles, and pays owed storage fees

RUST Grant and Loan Program Provisions

- **Reduces minimum grant from \$10,000 to \$3,000**
- **Authorizes grants for enhanced leak detection testing required by law**
- **No longer requires that small business already have incurred debt to be eligible**

DEH UST CONTACTS

- **Annual UST compliance inspections and permitting issues:**
 - **Sylvia Mosse, ICP Supervisor, (619) 338-2309**
 - **Robert Rapista, EHS III, (619) 338-2207**
- **Site assessment and cleanup issues**
 - **SAM Duty Specialist: (619) 338-2222**

Protecting San Diego's Water Resources

